

LAW SCHOOL

ADMINISTRATION

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LAW SCHOOL

The primary function of the Law School is to prepare attorneys for both public and private practice who will render the highest quality of ethical and professional service to their clients and who will further legal progress and reform. The curriculum is designed to prepare students for admission to the bar in all American states and territories.

Ordinarily, a student who is admitted to the Law School must have a baccalaureate degree from an approved college or university. The course of study leading to the degree of Doctor of Law (J.D.) covers three academic years. Students may be admitted to a program of study leading to the degree of Doctor of Law "with specialization in international legal affairs." The Law School also offers to a limited number of students an opportunity to earn both a J.D. degree and an LL.M. degree in international and comparative law.

There are combined graduate degree programs with the Johnson Graduate School of Management, the Department of City and Regional Planning of the College of Architecture, Art, and Planning, the School of Industrial and Labor Relations, the graduate divisions in economics, history, and philosophy of the College of Arts and Sciences, and the Université de Paris I (Pantheon-Sorbonne), as well as a special opportunity for highly qualified undergraduates in the College of Arts and Sciences to register in the Law School during their senior year.

Each year the graduate program of the Cornell Law School admits a limited number of students, generally all from abroad. The LL.M. degree (Master of Laws, Legum Magister) and the J.S.D. degree (Doctor of the Science of Law, Jurisprudentiae Scientiae Doctor) are conferred. A small number of law graduates may also be admitted as special students, to

pursue advanced legal studies without seeking a degree.

For further information, refer to the Law School catalog, which may be obtained from the Office of the Registrar, Myron Taylor Hall.

FIRST-YEAR COURSES

LAW 500 Civil Procedure

Fall and spring. 6 credits. K. M. Clermont, B. J. Holden-Smith, J. J. Rachlinski, F. F. Rossi.

An introduction to civil litigation, from commencement of an action through disposition on appeal, studied in the context of the federal procedural system. Also, a detailed consideration of federalism and ascertainment of applicable law; jurisdiction, process, and venue; and former adjudication.

LAW 502 Constitutional Law

Fall. 4 credits. K. A. Abrams, S. L. Johnson, G. J. Simson, I. P. Stotsky.

A study of basic American constitutional law, including judicial review, some structural aspects of the Constitution as developed particularly in light of the passage of the Civil War amendments, and certain of its rights provisions.

LAW 504 Contracts

Fall and spring. 6 credits. R. A. Hillman, R. S. Summers.

An introduction to the nature, functions, and processes of exchange, contract, and contract law. The course focuses on the predominant rules and principles governing contract and related obligation, including the substantive reasons underlying the rules and principles.

LAW 506 Criminal Law

Spring. 4 credits. S. P. Garvey, D. N. Yellen.

An introductory study of the criminal law, including theories of punishment, analysis of the elements of criminal liability and available defenses, and consideration of specific crimes as defined by statute and the common law.

LAW 508 Legal Methods

Fall and spring. 4 credits. P. Anderson, D. A. French, C. Grumbach, T. Harris-Abbott, B. S. Williams.

Legal methods is a full-year skills course designed to introduce first-year students to the techniques of research, analysis, and writing that are necessary in legal practice. Instruction in the fall semester focuses on legal research and the written communication of objective legal analysis. Students complete a series of research and writing assignments that develop and test their skills in these areas. Instruction in the spring semester focuses on written and oral advocacy. In the context of a simulated civil or criminal trial, students complete the necessary research and then draft and rewrite a trial or appellate brief advocating their client's position on one or more legal issues. The spring semester culminates with a moot court exercise designed to introduce the students to the

techniques and logistics of oral advocacy in a courtroom setting. Instruction occurs in small sections of approximately 30 students and in individual conferences. Each student receives extensive editorial and evaluative feedback on each written assignment.

LAW 512 Property

Spring. 4 credits. G. S. Alexander, E. Sherwin.

An investigation of the law's protection of ownership, including the beginnings of property, legal and equitable estates, concurrent ownership, and public and private regulation of land use.

LAW 515 Torts

Fall. 4 credits. G. A. Hay, J. A. Henderson, Jr., J. A. Siliciano.

An introduction to the principles of civil liability in the tort field: intentional wrongs, negligence, and strict liability. Attention is also given to the processes by which tort disputes are handled in our legal system.

UPPERCLASS COURSES

LAW 602 Administrative Law: The Law of the Regulatory State

Fall or spring. 3 credits. C. R. Farina, J. J. Rachlinski.

An introduction to the constitutional and other legal issues posed by the modern administrative state. Topics include: procedural due process, separation of powers, procedural modes of administrative policymaking; judicial review of agency action; the oversight and control relationships between agencies and Congress or the President. The course provides a working familiarity with the fundamentals of administrative procedure, as well as a larger inquiry into the role of agencies in our constitutional system—and the effect of legal doctrine on shaping that role.

LAW Advanced Civil Procedure

3 credits. Offered as a seminar in 1999–2000.

A study of complex civil litigation involving multiple parties and multiple claims. Topics include joinder of parties and claims, impleader, interpleader, class actions, and intervention. Consideration of case management, the Civil Justice Reform Act of 1990, multidistrict transfers in the federal courts, and the use of alternative procedures for disposition of cases.

LAW 604 Alternative Dispute Resolution: Mediation as a Nontraditional Approach to Litigation

Fall. 2 credits. Limited enrollment. J. Meyer.

This seminar will emphasize mediation as a nontraditional, cutting-edge alternative to the traditional litigation process. The seminar will introduce students to the spectrum of ADR processes, but will emphasize mediation as both a concept and a set of skills. The process of mediation will be explored through readings, videotapes, simulations, and role-playing exercises.

LAW 608 American Indian Law

Spring. 2 credits. Recommended prerequisite: Administrative Law and Public International Law. J. Tahsuda.

An examination of the primary themes and materials of the federal law concerning Native American tribes and individuals. The course devotes considerable attention to the historical development of law and policy in that area and to the present division of authority over Indian country among federal, state, and tribal governments.

LAW 609 American Legal History: From the Revolution to the Civil War

Fall. 3 credits. A. S. Konefsky.

This course focuses on the development of American law in the century from 1760 to 1860. Transitions in the legal ideology of the period will be examined, including the reception of the common law in America, the influence of the American Revolution on beliefs about the nature of law, shifts in forms of legal reasoning, changes in the legal profession, and the rise of the codification movement. In turn, resulting changes in legal doctrine in areas including contract, tort, and property will be studied for their impact on private and public economic activity.

LAW 610 Antitrust Law

Spring. 2 or 3 credits. Students who have taken an antitrust course in the Paris Program may take this course for 2 credits. G. A. Hay.

A consideration of the basic antitrust rules enacted by Congress and amplified by the courts to protect competitive markets and limit the exercise of monopoly power. Price fixing, boycotts, and market allocation agreements among competitors; agreements between suppliers and customers; joint ventures; attempts to monopolize and monopolization; price discrimination; and mergers.

LAW 611 Arbitration

Spring. 2 credits. Preference given to students to have previously taken Evidence. Limited enrollment. R. K. Hull.

Arbitration is the principal method of resolving disputes between unions and employers, between securities brokers and their clients, and under international business agreements, and is gaining favor in many other areas. This course will familiarize students with arbitration practice in a variety of fields, through the use of simulation exercises, role playing, and discussion of readings and videotapes. Class exercises will focus on practical skills, including case preparation, preliminary hearings, all phases of case presentation, and post-hearing briefs. The practical distinctions between arbitration and traditional litigation will be noted throughout.

[LAW Banking Law and Regulation

3 credits. Not offered 1999-2000.

The course begins by defining the roles that banks and other financial intermediaries play in the economy. It considers the claim that a specialized set of regulations governing the activities of financial intermediaries is justified by the special role banks occupy in society. In that context a variety of theoretical arguments about banking regulation are considered. The course then examines each of the major laws that govern banking activities against the background of the various regulatory theories discussed. Topics addressed include entry restrictions, growth and expansion of bank activities, regulation of

the business of banking, expansion through the bank holding-company structure, branch banking, interstate banking, and regulation of failing or failed banks.]

LAW 613 Bankruptcy

Fall. 3 credits. Prerequisite: Students who have taken Debtor-Creditor Law are ineligible for this course. T. Eisenberg.

Selected topics in the law of bankruptcy. An overview of the various bankruptcy chapters and a detailed study of the bankruptcy provisions of most general applicability. The relationship between the rights of an Article 9-secured creditor and the bankruptcy trustee's power to avoid liens. Related topics in the enforcement of money judgments and the law of fraudulent conveyance.

[LAW Business Combinations

2 credits. Not offered 1999-2000.

This course examines the principal business, legal, and accounting issues in the purchase and sale of privately and publicly held businesses. Emphasis is placed on the negotiation, structuring, financing, and documentation of the most common type of combining transaction—the acquisition of assets of a privately held company. Among the legal issues considered are the business and other reasons for selling or buying a business, the forms of business combinations, directors' duties, successor liability, securities regulation, tax, and antitrust. Additional issues surrounding acquisitions of publicly held companies (including hostile takeovers) are studied principally for comparison. The responsibilities of transactional lawyers to persons other than their clients are also assayed.]

LAW 615 Children, Parents, and the State

Spring. 2 credits. L. Teitelbaum.

This course explores legal and social understandings of the rights of children, parents, and the state with respect to issues such as access to and control over the content of education, authority regarding health care, claims to speech and expression, and procreative decisions. The course also examines the operation of rights in connection with juvenile court jurisdiction over neglect and abuse, delinquency, and status offenses.

[LAW Civil Rights Legislation

3 credits. Not offered 1999-2000.

Explores in depth the history and current status of federal civil rights legislation. The course focuses on 42 U.S.C. §1983, the dominant vehicle for vindication of constitutional rights in civil cases, and on Title VII of the Civil Rights Act of 1964, the principal federal statute covering employment discrimination.]

LAW 616 Commercial Law

Spring. 3 credits. W. F. Taylor.

Examines a variety of commercial dealings and focuses on Articles 2 and 3 of the Uniform Commercial Code, with some coverage of other Articles and the Convention on Contracts for the International Sale of Goods. The course is designed to give students an understanding of commercial statutes and to inform them about many of the underlying commercial transactions to which the law relates.

LAW 617 Comparative Labor Law

Fall. 3 credits. X. Blanc-Jouvan.

This course compares labor and employment law in France and the United States and surveys more briefly labor-market regulation in Canada, Germany, Japan, and the European Union. It provides an overview of the labor- and employment-law systems of each country and then examines selected topics from a comparative perspective. Specific topics that receive comparative treatment include unjust dismissal, employment discrimination, the right to organize labor unions, the right to strike, and worker voice through collective bargaining and other mechanisms.

LAW 618 Comparative Law

Fall. 3 credits. Prerequisite: basic common law. B. A. Rudden.

The course tackles first the sources, structures, and assumptions common to the legal systems of continental Europe, Latin America, and some countries of the Far East, and then examines the enduring divisions of their private law. Particular examples are then studied and may be grouped under a topic (e.g., the liability of the post office or the problem of the injured rescuer) or by country (e.g., French contract law, Roman and German tort law). The course aims to demonstrate the utility of the comparative method by encouraging students to rethink their own law in the light of other approaches. This enables students to see how problems may sometimes be solved by breaking the categories in which they are embedded in a given system, and thus to gain a better understanding of the reasons for the rules.

LAW 619 Conflict of Laws

Fall. 2 credits. G. J. Simson.

A study of the methods used by courts to decide the applicable law in cases that, in their parties or events, involve more than one state or country. Attention to the due-process limitations on jurisdiction, a state's obligation under the full-faith-and-credit clause to respect sister-state judgments, and conflicts between federal and state law.

LAW 620 Constitutional Law II: The First Amendment

Spring. 3 credits. S. H. Shiffrin.

A comprehensive discussion of freedom of speech, press, and association. The free-exercise-of-religion clause and the establishment clause of the First Amendment are treated less extensively.

[LAW Constitutional Remedies

2 credits. Not available to students who have taken Civil Rights Legislation. Not offered 1999-2000.

Explores in depth the history and current status of 42 U.S.C. §1983, the major statutory vehicle for vindication of constitutional rights in civil cases.]

LAW 622 Copyright

Fall. 3 credits. P. W. Martin.

Copyright law has become increasingly important as the American economy has shifted from a predominantly manufacturing economy to an information economy. This course provides students with a comprehensive overview of the U.S. copyright law. It begins with coverage of the substantive and procedural requirements for qualifying for copyright protection, then provides an in-depth study of the rights granted to authors under this law, the standards for judging copyright infringement, public policy

limitations on the scope of copyright interest (such as the fair use defense), and remedies available to successful litigants. Issues raised by new information technologies and recent amendments addressing them receive special attention. Partly as an aid for understanding United States law better and partly because copyright law is of increasing international importance, the course also provides some comparative and international copyright law components. In addition, it touches on issues of trademark and right of publicity law as they overlap or complement copyright.

LAW 625 Corporations

Fall or spring. 4 credits. F. S. Kahn, J. R. Macey.

An introduction to the business corporation laws affecting the rights and roles of corporate boards of directors, senior executive officers and shareholders, with an emphasis on large, publicly traded firms. Shareholders' economic interests are examined from the perspective of limited liability and dividend standards, expectations of liquidity or transferability of shares and the use of debt capital as a mode of financing corporate activity. Shareholders' limited participation rights in corporate decision making are examined from the perspective of state and federal rules governing shareholder voting and the disclosure of corporate information and the notion of managerial expertise (e.g., as evidenced by judicial application of the "business judgment rule"). The latter part of the course focuses on directors' and officers' fiduciary obligations to shareholders, examining the operation of these duties in a variety of settings and transactions. Issues relating to the roles and functions assumed by corporate attorneys (with respect to their clients) and the role of business corporations within society are also addressed. No previous business knowledge is assumed.

LAW 627 Criminal Procedure

Fall. 3 credits. J. H. Blume.

This course surveys the law of criminal procedure, with emphasis on the constitutional constraints that regulate the pretrial stage of the criminal process. More specifically, the course focuses on the law of interrogations and confessions, the admissibility of evidence, and on the right to counsel throughout all stages of the criminal process.

[LAW Current Topics at the Crossroads of Law and Finance [also NBA 551]]

3 credits. Not offered 1999–2000.

Financial institutions of all kinds, whether they are formally known as insurance companies, banks, investment banks, mutual funds, or pension funds, invest money on behalf of clients in a wide variety of investment vehicles. This course will look at the way that these financial institutions are treated from both a legal and an economic perspective. Emphasis will be placed on the intersections between modern financial theory and legal analysis. Topics to be covered include insurance, bank regulation and reform, securities markets, investment banking, and pensions.]

[LAW Death Penalty in America: A Survey]

1 credit. Not offered 1999–2000.

The course will survey the law relating to the administration of the death penalty.]

[LAW Debtor-Creditor Game]

3 credits. Prerequisite: Prior enrollment in Secured Transactions or Debtor-Creditor Law or concurrent enrollment in one of those courses and permission of the instructor. Limited enrollment. Not offered 1999–2000.

Advanced debtor-creditor law including Chapter 11 of the Bankruptcy Code, bankruptcy procedure, negotiation techniques, and case strategy.]

LAW 630 Directed Reading

Fall or spring. 1 or 2 credits. A two-credit directed reading may also fulfill the second writing requirement. Arrange directly with instructor. See Law School Registrar.

An examination of a topic through readings selected by arrangement between the instructor and an individual student or group of students (not exceeding eight).

LAW 633 Employment Law

Fall. 3 credits. D. Avery.

Survey of major statutory schemes, constitutional principles, and common law doctrines that affect the employer-employee relationship in the public and private sectors, other than laws regulating union formation and collective bargaining which are covered in Labor Law. Topics covered include unjust dismissal, drug testing, free speech, privacy, and antidiscrimination laws. In addition, the course will provide an overview of major statutory schemes affecting the terms and conditions of employment, such as workers' compensation, the Fair Labor Standards Act, and the Occupational Safety and Health Act.

[LAW Entertainment Law]

2 credits. Not offered 1999–2000.

This course explores several areas within the broad field of entertainment law. Topics include contract law, labor, antitrust, the role of agents, personal and privacy rights, literary and music publishing, sound recordings, films, and television.]

LAW 636 Environmental Law

Spring. 3 credits. J. J. Rachlinski.

The course surveys the major environmental law with a primary focus on federal statutes (CERCLA, RCRA, NEPA, the Clean Water Act, the Clean Air Act, and the Endangered Species Act). The course lays out the various governmental tools used to address the problems of environmental degradation and discusses the value of these tools. Special attention is paid to the economic, social, and political obstacles to efficient regulation of the environment.

[LAW Estate and Gift Taxation]

3 credits. Prerequisite: Federal Income Taxation. Not offered 1999–2000.

This course surveys the three federal taxes imposed on wealth transfers: the estate tax, the gift tax, and the generation-skipping tax. The course uses a problem-oriented approach, with emphasis on the Internal Revenue Code, regulations, and other tax materials.]

LAW 640 Evidence

Fall or spring. 3 credits. S. D. Clymer, F. F. Rossi.

The rules of evidence in civil and criminal cases with emphasis on relevance, authentication, witnesses, experts, and hearsay. The course focuses on the Federal Rules of Evidence, with some attention to how they diverge from the common law.

LAW 641 Family Law

3 credits. M. A. Fineman.

Broadly understood, family law is the study of state imposed rules regulating intimacy and intimate relationships in society. Consideration of the legal regulation of intimate relations collapses traditional law school distinctions such as those drawn between "civil" and "criminal" or "public" and "private" mechanisms for control of behavior. The laws that effect family formation and dissolution are many and varied. They reach deep into our lives, influencing as well as being influenced by our assumptions and beliefs about what is "natural" and "normal." In this course we will use scientific and social scientific information to explicitly evaluate some of those assumptions and beliefs, and to call into question the appropriateness of a number of current state laws regulating families. We will examine the evolution of our society's understanding of and expectations for marriage, as well as shifts over the past several decades in the nature of and justification for state regulation of that institution. Substantial attention also will be paid to the social and legal consequences of marriage dissolution, including an examination of the imposition of a gender neutrality-gender equality model in the divorce context. The imposition of this model has resulted in a transformation of the legal rules governing distribution of property and allocation of custody and control over children with some problematic consequences. Topics to be considered include: definitions, policy and trends in American family law, the regulation of marriage, the legal significance of marriage: rights and obligations, private ordering within the marital context, nonmarital relationships - rights and obligations, divorce and divorce substitutes, spousal and child support obligations, marital property and theories of marital equality, rights to children.

LAW 643 Federal Courts

Spring. 4 credits. Prerequisite: Constitutional Law and second semester of Civil Procedure. Students without such background should consult with instructor. C. R. Farina.

An intensive examination of the federal courts and their constitutional and statutory role in the federal system. The relationship of the federal courts with the other branches of the federal government and with the states, and the relationship between state and federal law. Case-or-controversy problems, the allocation of jurisdiction between state and federal courts, federal question and diversity jurisdiction of the district courts, and limitations thereon. The course is strongly recommended for anyone planning a judicial clerkship.

LAW 644 Federal Income Taxation

Fall or spring. 4 credits. Limited enrollment. T. Eisenberg, E. M. Jensen.

A basic course designed to develop understanding of tax concepts and ability to work effectively with the Internal Revenue Code, regulations, cases, and other tax materials.

LAW 646 Feminist Legal Theory

Fall. 3 credits. M. A. Fineman.

This course provides an introduction to feminist legal theory. During the semester we will consider the historical stages, as well as current and emerging contours, of feminist theory in law. There will be some comparison of feminist legal theory with allied intellectual movements such as critical race theory. The last part of the course will look at

applied feminist legal scholarship in the areas of (1) the economic subordination of women, (2) the sexual subordination of women, and (3) motherhood and reproduction.

LAW 647 Health Law

Fall. 3 credits. L. I. Palmer.

This course examines the role of law and policy in the health care industry. Students will be invited to take a "systems approach" to the study of the role of law in arriving at coherent policy solutions for a host of dilemmas facing a rapidly evolving industry. Students will be asked to consider if a particular statute, regulation, or judicially crafted legal doctrine is consistent with new developments or any public policy towards health care. Topics covered include: access to health care; purchasing health care; commercialism vs. professionalism; the antitrust challenge to professional dominance; changing institutional providers; and public and industry-sponsored quality control.

LAW 648 Injunctions

Fall. 3 credits. Prerequisite: Two semesters of Civil Procedure. Students without such background should consult with instructor. Limited enrollment. Satisfies the first or second writing requirement. C. R. Farina.

The course integrates theory and practice in focusing on the availability and use of the injunction, an increasingly important remedial tool in both public-interest and private-section litigation. Coverage includes the substantive and procedural prerequisites for obtaining interlocutory and permanent injunctions, permissible scope and timing, the types and incidents of contempt, and the duties of those enjoined. Special consideration is given to the use of the injunction as a remedial tool for federal courts in public law litigation. The substantial writing component involves several drafting exercises based on real case studies of recent injunctions requests.

LAW 650 Insurance

Spring. 3 credits. J. A. Henderson, Jr. Insurance is an increasingly important tool for the management of risk by both private and public enterprises. This course provides a working knowledge of basic insurance law governing insurance regulation; risk classification; property, commercial, and liability insurance; and claims processes. The emphasis throughout the course is on the link between traditional insurance law doctrine and modern ideas about the function of private law.

[LAW Intellectual Property]

3 credits. Not offered 1999-2000.

An introduction to the domestic and international context of intellectual property law with a review of state and federal law relating to intellectual property, principally copyright, patent, and trademark law. Intellectual property issues raised by new information technologies are emphasized throughout the course.]

LAW 652 International Business Transactions

3 credits. J. J. Barceló III.

An examination of the unique legal features of business transactions across national boundaries. The first half of the course deals with the private law of international transactions. The topics covered include: choice of law in the U.S. and Europe concerning international sales; the U.N. Convention on the Interna-

tional Sale of Goods; financing international transactions through letters of credit; and international dispute settlement (litigation and arbitration). The second half of the course deals with public regulatory law, including an overview of the World Trade Organization (WTO/GATT) with some attention to the trade-environment conflict; fair and unfair trade rules (escape clause, subsidies and countervailing duties, and antidumping); the trade consequences of intellectual property rights; and international antitrust.

LAW 653 International Commercial Arbitration

Fall. 3 credits. J. J. Barceló III, D. Ridgway.

A study of arbitration as a dispute resolution process for international trade and business disputes. The course analyzes ad hoc and institutional arbitration, the authority of arbitral panels, enforcement of agreements to arbitrate, challenging arbitrators, procedure and choice of law in arbitral proceedings, and enforcement of international arbitral awards. The course gives special attention to the international convention on the recognition and enforcement of international arbitral agreements and awards (New York Convention) and the UNCITRAL (U.N. Commission of International Trade Law) arbitral rules and model law. It will focus on commercial arbitration as an international phenomenon and not on arbitration under any particular national system.

LAW 655 International Human Rights

Spring. 3 credits. D. Wippman.

This course explores the development and effectiveness of international legal rules governing the conduct of a state toward people within its jurisdiction. Topics include the substantive norms of human rights, and their philosophic basis; the mechanisms for the protection of human rights, such as the United Nations, specialized agencies, international human rights commissions, and domestic courts; and current issues such as the doctrine of humanitarian intervention, the status of indigenous peoples, and human rights during armed conflicts, illustrated where possible through case studies of current situations.

[LAW International Protection of Intellectual Property]

2 credits. Recommended prerequisite: Intellectual Property. Not offered 1999-2000.

This course studies intellectual property rights in the international legal system. A general introduction reviews the international protection of patents, trademarks, industrial design, and copyright. The starting and focal point is the Agreement on Trade Related Aspects of Intellectual Property (TRIPS) adopted in the framework of the World Trade Organization (WTO). The international protection of intellectual property is studied through consideration of the TRIPS agreement and the several international conventions the observation of which is made mandatory for WTO Members by TRIPS. Also examined are issues of international court jurisdiction and applicable law in the area of intellectual property.]

LAW 656 Introductory Jurisprudence

Fall. 3 credits. Not available to students who have taken Legal Process.

S. P. Garvey.

An introduction to contemporary schools of legal and political theory. The schools of legal theory examined include positivism, natural law, legal realism, legal process, and critical legal studies. The schools of political theory examined include liberalism, libertarianism, communitarianism, feminism, and critical race theory.

LAW 657 Issues in Professional and Organizational Ethics: Secrecy and Whistle Blowing

Fall. 3 credits. K. Clark.

This course explores the obligations facing persons who possess confidential information in a variety of legal contexts (e.g., lawyer-client relationships; government and corporate employment; trade secrets; and military information). It also examines the extent of and limitations on whistle blowing options available to lawyers and other professionals.

[LAW International Taxation]

3 credits. Prerequisite: Federal Income Taxation. Not offered 1999-2000.

This course examines the U.S. income tax treatment of foreign investment and business operations in the United States, as well as the treatment of U.S. investment and business operations abroad. The course focuses on international tax jurisdiction and on the methods by which the United States relieves international double taxation, both by statute and through income tax treaties.]

LAW 660 Labor Law

Spring. 3 credits. D. Avery.

A study of collective bargaining, including the process of union formation, legal regulation of strikes and other economic weapons, negotiation and enforcement of collective agreements, the duty of fair representation, the application of antitrust law to union activity, and the relationship between federal labor law and local laws regulating the employment contract.

[LAW Law and Medicine]

3 credits. Not offered 1999-2000.

This course considers legal issues related to medical care and biomedical science. Topics include constraints on access to health care, organization and financing of health services, promoting quality of care in hospitals and outpatient sites, fraud and abuse in clinical practice and biomedical research, dilemmas engendered by therapeutic applications of new technologies, and pathways to reform of the U.S. health care system. Teaching materials will comprise a law and medicine casebook, and scientific literature.]

LAW 668 Lawyers and Clients

3 credits. Satisfies the professional responsibility requirement. R. C. Cramton.

A survey and critique of (1) the law governing the practice of law and the legal profession's norms concerning the lawyer-client relationship; (2) the social functions of lawyers; (3) the modes and patterns in which legal services are or are not made available to the public; and (4) ethical theory relating to lawyer role and conduct.

LAW 669 Legal Aspects of Foreign Investment in Developing Countries

Fall. 3 credits. M. B. Ndulo.

This course will study legal aspects of foreign investments in developing countries. It will seek to identify legal problems that are likely to affect a commercial investment in a developing country. Inter alia, it will deal with the public international law principles and rules governing the establishment by foreign businesses of various factors of production (persons and capital) on the territory of other states and the protection of such investments. Thus, the course includes a discussion of the following topics: economic development and foreign capital; obstacles to the flow of investments to developing countries; guarantees to investors and investment codes; bilateral treaties; nationalization; joint ventures; transfer of technology; arbitration; investment insurance; unification of trade law; and the settlement of investment disputes.

LAW 670 Legislation

Spring. 3 credits. L. I. Palmer.

This course explores various theories of legislation by studying how statutes become a source of public policy, how judges interpret them, and how lawyers draft them. Drafting exercises are used throughout the course to determine to what degree legislation can be used to reform law or to remedy particular social problems.

LAW 671 Mergers and Acquisitions

Fall. 2 credits. R. F. Balotti.

This course examines the principal business and legal issues in the purchase and sale of publicly held businesses. Emphasis is placed on the duties of directors in the acquisitions of publicly held companies (including hostile takeovers).

[LAW Negotiation

2 credits. Limited enrollment. Not offered 1999–2000.

This course is intended to develop methods and skills required for negotiation practice. Approaches to negotiation strategy formation, preparation, and conduct will be explored through discussion of selected readings and through class exercises. Students will engage in four or more mock negotiations in situations that typically involve lawyers.]

LAW 672 Negotiating the Ethical Minefield: A Young Lawyer's Guide to Safe Travel

Fall. 3 credits. L. Fox.

Virtually all law school courses teach us how to represent our clients more effectively. Only professional responsibility courses provide would-be lawyers with guidance on our own conduct. This course will attempt to answer such knotty questions as: Why lawyers have to worry more about their own clients than they do about judges, the party or lawyers on the other side? What limits are placed on our obligations of zealous advocacy? How do lawyers resolve the competing pressures from clients, society, their own consciences, and their pocketbooks? What does professional independence really mean, and can it be preserved in the twenty-first century?

LAW 675 Patent and Trademark Law

3 credits. D. Bordewick.

This course examines federal patent and trademark law. For patent law, particular attention is given to the nonobviousness and novelty requirements; the interpretation of

patent claims, the extent to which patent issues are resolved by courts rather than by juries; the doctrine of equivalents; remedies for patent infringement; and defenses to patent infringement claims. For trademark law, the course examines the various kinds of marks, symbols, product configurations, and packagings for which trademark and trade dress protection can be obtained; the need to establish secondary meaning; what constitutes likelihood of confusion; types of trademark infringement; remedies for trademark infringement; and defenses to trademark infringement claims. The course also briefly examines state trade secrets and unfair competition law. Approximately 60% of the class will be devoted to trademark law. We will not consider international issues.

[LAW Private Justice: Arbitration and Other Forms of Alternative Dispute Resolution

4 credits. Limited enrollment. Not offered 1999–2000.

Arbitration has become a major aspect of legal practice in such fields as labor law, commercial law, securities law, family law, and other areas. This course will examine the developing law of arbitration and the relationship between private arbitration and the judicial system. It will examine issues such as the enforceability of arbitration agreements, arbitral due process, judicial review of arbitration awards, and the effect of arbitration on statutory rights. It also examines other forms of alternative dispute resolution, including mediation, small claims courts, and the new mandatory arbitration requirements of some federal and state judicial systems. The course focuses on the law of alternative dispute mechanisms and includes six simulation and problem solving sessions.]

LAW 678 Products Liability

Spring. 3 credits. J. A. Henderson, Jr.

Applications of products-liability doctrine and theory to a variety of problems drawn from or closely approximating actual litigation. An overview of the relevant case law, statutes, and administrative regulations, including the new *Restatement, Third, of Torts: Products Liability*.

LAW 680 Public International Law

Fall. 3 credits. D. Wippman.

An introduction to the legal rules governing the conduct of states vis-à-vis other states, individuals, and international organizations, with reference to major current events and issues. Topics include the nature, sources, and effectiveness of international law; the establishment and recognition of states; principles concerning state sovereignty, territory, and jurisdiction; the law of treaties; state responsibility; international environmental law; and human rights. Special attention will be given to the law governing the use of force.

LAW 682 Remedies

Fall. 3 credits. E. Sherwin.

This is an overview of legal remedies and their origins, including equitable remedies, restitution, and damages. The emphasis is on private rather than public law. A considerable amount of the course is spent on the nature and history of equity.

[LAW Roman Law and Modern Civil Law Systems

2 credits. Not offered 1999–2000.

Roman law has been the most influential legal system in Western legal history. The course focuses on selected areas of Roman property, contract, and tort law in order to demonstrate two basic aspects: (1) the distinctive characteristics of classical Roman law, which was largely jurists' law that was shaped by legal experts similar to modern law professors (as opposed to statutory or judge-made law); and (2) the continuing substantive and methodological influence of Roman law in modern civil law systems, including the major impact of Roman law on the unification process of European law. Roman case law is studied in English translation and compared with legal reasoning and solutions in contemporary European (e.g., German and French) legal systems. The course also demonstrates a number of direct and indirect influences of Roman law on Anglo-American law.]

[LAW Secured Transactions

3 credits. Not offered 1999–2000.

The course explores the use of security in commercial and consumer transactions. Specific subjects include creditor remedies, default, acceleration and cure, the creation and perfection of security interests, and priority among security interests and liens. The objective is to see secured credit as a system for lending and recovering money.]

[LAW Securities Regulation

2 credits. Not offered 1999–2000.

This course examines the federal system of regulation of the offering, sale and distribution of securities, including the Securities Act of 1933 and the Securities Exchange Act of 1934. Emphasis is placed on the structure, negotiation and consummation of securities transactions as part of the capital-raising process. The responsibilities of securities professionals are also reviewed.]

LAW 683 Securities Regulation and the Regulation of Financial Intermediaries

Fall. 2 credits. J. R. Macey.

This course covers the federal rules relating to the public offering of securities, secondary market trading of securities, and the regulation of commercial banking, investment banking, and investment companies (mutual funds). Emphasis is placed on the relationship between the various forms of financial intermediation and capital formation, and on the role of these activities in corporate governance. The increasing internationalization of the capital markets, and the public policy issues related to globalization, also will be discussed.

[LAW Social and Cognitive Psychology for Lawyers

3 credits. Not offered 1999–2000.

In their short history, cognitive and social psychology have produced a rich understanding of how human beings think and how they interact with each other. It should therefore come as no surprise that these two fields have a number of applications to law. This course will explore those applications. Examples include: what effect common errors in judgment have on tort and contract law; how the perception of risk affects societal demand for regulation in environmental law; how organizational and group decision-making processes affect corporate governance; how social norms about fairness impede or

facilitate negotiation and dispute resolution; how biases in judgment influence litigation strategies; and what studies of conformity mean for the development of international human rights law. The goal of this course is to introduce students with interests in different areas of law to some general principles of human thought and social interaction that will be valuable to them in their future practice.]

LAW 684 Social Security Law: Work, Families, and Administrative Justice

Spring. 3 credits. P. W. Martin.

The course will focus especially on how social security's benefit rules relate to employment, families and household composition and how its procedures address the challenge of adjudicating the massive numbers of benefit claims that arise each year. It will introduce the general features of the Social Security Act's entitlement, benefit formulae, and procedural rules; highlight those that pose the greatest difficulty to administrators and advocates; and survey current proposals for change.

LAW 685 Sports Law

Spring. 2 credits. Recommended

prerequisite: Antitrust Law and Labor Law. W. B. Briggs.

The course traces the development of sports law in the United States. Particular attention is given to the relationship of sports with antitrust and labor law. Contemporary issues involving arbitration, collective bargaining, amateur athletics, agents, torts, criminal law, and constitutional law are addressed.

LAW 687 Supervised Teaching

Fall or spring. 1 or 2 credits. Arrange directly with instructor. See Law School Registrar.

LAW 688 Supervised Writing

Fall or spring. 1, 2, or 3 credits. A two- or three-credit supervised writing program may also fulfill the second writing requirement. Arrange directly with instructor. See Law School Registrar.

LAW 689 Taxation of Corporations and Shareholders

Fall. 3 credits. Prerequisite: Federal Income Taxation. E. M. Jensen.

This course examines the federal income taxation of corporate structure and transactions involving alterations in structure, including the rules governing incorporation, dividends, redemptions, liquidations, divisions, and reorganizations.

LAW 692 Trial Advocacy

Spring. 4 credits. Prerequisite: Evidence. Limited enrollment. G. G. Galbreath.

This course is devoted to the study of the trial. Fundamental skills are taught in the context of challenging procedural and substantive law problems. Each stage of the trial is examined: jury selection, opening, objections, direct examination, cross-examination, impeachment, expert witnesses, child witnesses, summation, and pretrial. In addition to exercises every week on a particular segment of a trial, the student also does a full-day jury trial at the completion of the course. Video equipment is used to teach and critique student performances. There are a few written assignments.

LAW 694 Trusts and Estates

Fall. 4 credits. G. S. Alexander.

The course examines the process of gratuitous transfers of wealth and introduces the practice of estate planning. It surveys the basic law of

property succession, including wills and intestate succession, the law of trusts, powers of appointment, federal transfer taxation, and trust investment. Certain recurrent policy problems are emphasized, including the problem of form of legal norms and the problem of collective constraints on private intention.

PROBLEM COURSES AND SEMINARS

All problem courses and seminars satisfy the first or second writing requirement. Limited enrollment.

LAW 700 Advanced Civil Procedure

Spring. 3 credits. B. J. Holden-Smith.

A study of complex civil litigation involving multiple parties and multiple claims. Topics include joinder of parties and claims, impleader, interpleader, class actions, and intervention. There will be consideration of case management, the Civil Justice Reform Act of 1990, multidistrict transfers in the federal courts, and the use of alternative procedures for disposition of cases.

LAW 701 Advanced Criminal Procedure Seminar: Post-Conviction Remedies

Fall. 3 credits. J. H. Blume.

This seminar will explore various post-conviction remedies available to state and federal prisoners, including motions for new trial, state post-conviction proceedings, federal habeas corpus, and other extraordinary writs.

[LAW Advanced Criminal Procedure Seminar: Pre-Conviction]

3 credits. Recommended prerequisite: Criminal Procedure. Not offered 1999-2000.

This seminar starts where the course, criminal procedure, ends. Topics may include double jeopardy, restraints on the decision to prosecute, pretrial detention and release, preindictment and pretrial delay, discovery and the obligation to disclose exculpatory evidence, the right to an impartial jury, jury selection, the right to confront witnesses and to present a defense, and sentencing.]

[LAW African Americans and the Supreme Court]

3 credits. Not offered 1999-2000.

Beginning with its first decisions related to the slavery question, the Supreme Court has at times aided and at other times hindered efforts to afford African Americans full citizenship. This seminar explores the relationship between blacks and the Supreme Court by examining the major Court decisions affecting African Americans and attempting to understand those decisions in their historical contexts. The course begins with a review of the background and meaning of the constitutional provisions pertaining to the status of blacks in the new nation and ends with an intensive look at *Brown v. Board of Education*.]

LAW 703 Advanced Legal Research

Spring. 3 credits. C. M. Germain and staff.

Teaches cutting-edge research techniques to prepare students for practice in the law office of the future. Focuses on desktop electronic legal research, and covers U.S., international, and foreign law, as well as multidisciplinary research. The course is designed to teach students, whose careers will begin in a period of information transition, how to handle

traditional and electronic sources and formats and make efficient choices.

[LAW Advanced Legal Writing and Analysis]

3 credits. Not offered 1999-2000.

This seminar will explore in some detail the principles of legal analysis and writing through the medium of various documents produced in representing a hypothetical client in civil or criminal litigation. Students will conduct the necessary research on an assigned legal issue and then prepare a series of documents in preparation of the client's case. Those documents will include an office memorandum, a client letter, and a trial brief or memorandum in support of a motion. Students rewrite each document after receiving written comments from Professor Williams and other students through collaborative editing exercises.]

LAW 707 American Legal Theory

Fall. 3 credits. R. S. Summers.

The fall 1999 topic for this seminar is the formality of basic types of legal phenomena such as criteria of valid law (for both publicly and privately made law), statutory rules, accepted methods of statutory interpretation, the principle of stare decisis and common law rules, adjudicative processes, limitations on judicial power to modify rules, and the formal characteristics of the legal system viewed as a whole. American law lacks appropriate formality in many important ways and a heavy price is paid for this. However, legal formality and its distinctive underlying rationales (general legal values) profoundly affect the overall content of law and its practice by lawyers in the American as well as other legal systems. Such formality and its rationales have as much or more of a claim to primacy as the essence of law than do problem-specific policies that also inform the law's content. In this seminar, there is about equal emphasis on practical skills and theory.

[LAW Appellate Advocacy]

Fall and spring. 3 credits. Prerequisite: Legal Methods or Practice Training 1 and 2. Year-long course. Not offered 1999-2000.

This course is designed to teach students the intricacies and nuances of appellate brief writing. Using the transcript of a criminal trial, students will write and rewrite an appellate brief for either the defense or prosecution. Students will read and digest the transcript and choose issues to research and potentially brief. After discussing the potential issues and research and basic appellate principles such as preservation, harmless error, and standards of review, we will turn our attention to the art of persuasion. Beginning with the first word of the first Question Presented, and ending with the last word of the Argument, appellate lawyers painstakingly choose each word to advance their arguments. The class will discuss in detail and practice writing each part of the appellate brief to see how each part can best meet this goal of persuasion. For instance, the Statement of Facts, perhaps the most important part of an appellate brief, will be treated as a story with a plot and sympathetic and unsympathetic characters. The class will discuss language and style and look at such details as word choice, sentence length and placement of "bad facts." The class will similarly dissect the Question Presented, Point Headings, and last, but certainly not least, the Argument.]

LAW 709 Biblical Law

Spring. 3 credits. C. M. Carmichael.
Analysis of law and narrative in the Bible from the perspective of ancient law and legal history. Topics include the nature of the law codes (e.g., hypothetical formulation versus statutory law), legal issues in the narratives (e.g., law of adultery and women's rights), law and morality (e.g., Ten Commandments), law and religion (e.g., institutions guaranteed by the law but condemned by religious authority), the transformation of extralegal relations into legal ones (e.g., with the introduction of money), legal interpretation in antiquity (e.g., Sermon on the Mount), social factors in legal development (e.g., shame and guilt), and aspects of criminal, family, and private law (e.g., eye for an eye, incest rules, and unjust enrichment).

[LAW Civil Rights in Housing: Theory and Practice]

3 credits. Not offered 1999–2000.
Students will explore federal fair housing laws, history, and policies, while learning practical litigation skills. The seminar includes reading materials, class discussion, legal writing, and litigation exercises. The seminar materials include cases and statutes, as well as literature about policies underlying fair housing rights in the United States. The policy literature will be selected from a broad political spectrum, and will be designed to provoke thought and encourage classroom debate. The legal writing assignments and the litigation exercises simulate work assignments common in a civil litigation practice. Students will draft three briefs on different issues at various procedural postures (injunction, summary judgment, and appeal). Additionally, students will complete six short litigation exercises, including developing a proof schema and discovery plan, designing a fair housing test, drafting an affidavit and correspondence in support of a motion, writing jury instructions and a special verdict, and planning a trial notebook.]

LAW 711 The Common Law and African Legal Systems

Spring. 3 credits. M. Ndulo.
This seminar will study legal systems in post colonial Africa. It will concentrate on the former British colonies. During the colonial period, the common law was imported into British Africa. As a result, these countries are now common law jurisdictions. The description is supported by the history of the countries as well as by current statutory guidelines. African countries, however, also retained African customary law as part of the legal system. The two systems of law operated alongside one another and interacted at various points. During the colonial period, the common law was considered superior to African customary law and became the dominant system of law. In today's Africa, the two systems continue to operate side by side in very much the same as they did in colonial times. Conflicts between them have generated considerable interest among legal scholars. This seminar will consider the following issues: the introduction of the common law in Africa; nature of the customary judicial process; the nature of the plural system; areas of conflict between customary law and the common law in such areas as succession, land tenure, marriage laws, and gender. It will also examine issues relating to constitutional law and governance. Contemporary Africa is engaged in efforts aimed at

building democratic political systems that are responsive to the needs of African communities. In this regard, we will examine such issues as constitutional arrangements in post-independence Africa, and conditionality, good governance, and development aid.

LAW 712 Comparative Legal Methods

Fall. 2 credits. Limited to LL.M. students.
B. S. Williams.
This course will provide an introduction to the U.S. legal system and an opportunity for international LL.M. students to develop their legal analysis and writing skills through the completion of a series of writing assignments designed to teach the forms and content of legal analysis and expression common to American legal practice. The course will begin with an introduction to the structure of the U.S. legal system, including information on the nature and function of the state and federal governments and the structure of the American court system. The course will also introduce the methods that guide American attorneys in case analysis and application, and statutory interpretation. Finally, the course will provide extensive instruction in legal writing and analysis skills, including an introduction to basic legal research tools and strategies. The course grade will be based on writing assignments.

LAW 713 Constitutional Law and Political Theory

Spring. 3 credits. S. H. Shiffrin.
The purpose of the seminar is to explore theories of freedom of speech and theories of equality. How are the ideas of freedom, equality, association, and community linked in doctrine, and how should they be linked? Neoconservative, liberal, radical, feminist, and Marxist writings are considered.

[LAW Corruption Control]

3 credits. Not offered 1999–2000.
This seminar examines the factors that facilitate and inhibit public or private corruption and analyzes the wide variety of criminal, civil, and nontraditional approaches designed to control corruption and to promote governmental and commercial integrity.]

[LAW Critical Race Theory]

3 credits. Not offered 1999–2000.
This seminar will explore the relationship between critical understandings of the significance of race and legal interpretation. Of particular importance is the examination of how societal values and customs, expressed in legal rules purporting to address racial issues, inhibit critical approaches to the concerns of justice for disadvantaged groups.]

[LAW Dispute Resolution Techniques]

3 credits. Not offered 1999–2000.
A course offering students an opportunity to learn conflict management and dispute resolution techniques in negotiation, mediation, and arbitration of commercial disputes, usually in the intellectual property context. The course will be scheduled to take place on certain full weekends to be announced.]

LAW 715 Emerging Problems of Health Law

Spring. 3 credits. L. I. Palmer.
The delivery of health care presents problems on the frontiers of both law and medicine. These include whether legislatures should authorize physicians to assist the death of dying patients, prohibit the cloning of humans

beings, or modify the regulations concerning the administration of pain medication. In addition, new knowledge about reducing risks has emerged in policy discussions about how to improve the "quality" of health care during an era of managed care. There are now new questions about whether law inhibits the health care system's ability to make the system "safe" for patients. Students will study selected problems on the frontiers of law and medicine and prepare a seminar paper on a topic related to one of the emerging issues in health law or bioethics.

LAW 716 Empirical Studies of the Legal System

Fall. 3 credits. T. Eisenberg.
This seminar guides students in their own empirical studies of the legal process. Students derive research topics from a variety of empirical sources and design and run their own computer programs. Sample topics may include evaluating patterns of punitive damages awards, studying jurors' perceptions in death penalty cases, evaluating the success rates and burden of Title VII cases, and studying products liability cases.

LAW 717 Employment Discrimination

Spring. 3 credits. W. F. Taylor.
This seminar explores contemporary problems in equal-employment law. It focuses on legal issues involving Title VII, comparable worth, wrongful discharge, disability discrimination, age discrimination, and equal pay. Students are required to submit a paper as partial fulfillment of the requirements of the course.

[LAW Ethnic Conflict and International Law]

3 credits. Recommended prerequisite: International Human Rights or Public International Law. Not offered 1999–2000.
This seminar examines the status and rights of ethnic, racial, religious, and national groups under international law, and considers the role of international law in developing an adequate response to intercommunal conflicts in Europe, Asia, and Africa. Topics include the sources of nationalism and ethnic conflict, pertinent individual and group rights, principles of humanitarian law and humanitarian intervention, the relationship between group identity and democracy, the role of international organizations in responding to ethnic conflict, and possible solutions to ethnic conflict, including secession, autonomy, and federalism.]

LAW 720 European Union Law

Spring. 3 credits. J. J. Barceló III.
The course studies the EU treaty, institutions, and lawmaking processes; the direct effect, supremacy, and reception of EU law in the member states, the development of the four freedoms (goods, services, persons, and capital) fundamental rights doctrine, protection of the environment, and the EU antitrust law.

[LAW Family Law Seminar]

3 credits. Not offered 1999–2000.
This course is designed to familiarize the student with the practical problems facing the practitioner in family law cases. Students participate in negotiating separation agreements, presenting oral arguments of motions, preparing a memorandum of law, and developing interviewing skills and client relationships. The philosophy of the family law practitioner and methods of dealing with clients involved in divorce, custody, and the

like are covered. The emphasis is on method rather than substantive law.]

LAW 722 Family Wealth Transfers

Spring. 3 credits. D. Avery.

This seminar explores the development of the laws relating to property transfers in the context of both traditional and nontraditional family relationships. Readings from history, legal history, political theory, feminist legal theory, psychology, anthropology, sociology, and comparative law will provide a framework for evaluating the ways in which modern American laws of property, contacts, divorce, gratuitous transfers, taxation, and bankruptcy shape and are shaped by the formation, perpetuation, and disintegration of the family. Topics include community property, the Uniform Marital Property Act, constructive trust doctrine, common law concurrent interests, equitable distribution laws, and the laws affecting property settlements, cohabitation agreements, and premarital contracts.

LAW 726 Federal Litigation Seminar

3 credits. D. Bordewick.

This seminar is designed for students genuinely interested in being litigators. It explores the "real world" of civil litigation in federal court, from commencement of a lawsuit through termination by some means other than trial. Particular attention is given to local rules; complaints; answers; document requests; removal issues; venue motions; preliminary injunction motions; summary judgment motions; nonparty discovery; sanctions; FRCP 26 disclosures and requirements; attorney-client privilege issues; and case-management procedures and orders. Throughout the course, the seminar endeavors to determine how one rationally litigates before frequently disinterested judges pursuing their own agendas and against counsel evidencing little regard for the rules or the law. This seminar entails a very substantial quantity of written work.

[LAW Feminism and Gender Discrimination]

3 credits. Not offered 1999-2000.

The seminar provides an introduction to feminist theory as it has emerged in legal scholarship and the social sciences. Several feminist legal theories are then used as a framework for analyzing a series of legal problems implicating gender. Among the problems discussed are sexual harassment, work-family conflict, divorce and child custody, surrogacy, abortion, rape, spousal abuse, and pornography.]

LAW 728 Foundations of Criminal Law

Fall. 3 credits. Prerequisite: Criminal Law. S. P. Garvey.

This seminar examines various theoretical issues in the substantive criminal law. Among the topics to be discussed are the justification (if any) for punishment; the relationship between theories of punishment and political theory; the moral limits on the authority of the state to criminalize conduct; theories of excuse and justification in the criminal law; and the role of emotion and reason in the criminal law.

[LAW Foundations of Employment Law]

3 credits. Prerequisite: Labor Law or Employment Law. Not offered 1999-2000.

This seminar studies labor markets to catalog ways they succeed and ways they fail, and assesses ways that labor market regulation

attempts to correct market failure. Both labor law (regulation of unions) and employment law (regulation of the nonunion workplace) topics are covered. Specific topics include: internal labor markets and contingent workers; the decline of unions; policies underlying the National Labor Relations Act; the erosion of the employment-at-will doctrine; and regulation of health care and pensions. To add perspective, the seminar will attempt a comparative examination of the legal systems of Canada, Japan, Germany, France, New Zealand, and Macedonia.]

[LAW Health Care Reform]

3 credits. Not offered 1999-2000.

This seminar addresses the role of law in structuring efforts to resolve problems of access, quality, and costs in health care. The focus is on the U.S. health care system but approaches of some other nations to comparable problems are briefly explored. Materials will include a health law casebook and selected readings from medical and health policy sources. During the later sessions of the semester students present their seminar papers to the class.]

LAW 731 Immigration and Refugee Law

Fall. 3 credits. Prerequisite: Constitutional Law. S. W. Yale-Loehr.

This seminar explores the evolving relationship between U.S. immigration policy and our national purposes. Immigration plays a central role in contemporary American life, significantly affecting our foreign relations, human rights posture, ethnic group relations, labor market conditions, welfare programs, public services, and domestic politics. It also raises in acute form some of the most basic problems that our legal system must address, including the rights of insular minorities, the concepts of nationhood and sovereignty, fair treatment of competing claimants for scarce resources, the imperatives of mass administrative justice, and pervasive discrimination. In approaching these questions, the course draws on diverse historical, judicial, administrative, and policy materials.

LAW 732 The Independence of Lawyers

Fall. 3 credits. L. J. Fox.

No area of the law is in more ferment than professional responsibility. Traditional models for the provision of legal services are being attacked by others from accountants to real estate brokers who wish to enter the field and who are asking, even demanding, that we dispense with many of our basic ethics rules. The standard litigation model is being attacked as too slow and too expensive and being usurped by alternative methods of dispute resolution. Old fashioned notions of loyalty to clients are being undermined by the economics of the practice of law. Traditional principles of confidentiality are being questioned as interfering with the search for the truth and the demands of effective law enforcement. Insurance companies are aggressively controlling the way legal services are delivered to their insureds. Our ethics rules are being asked to respond to such knotty issues as hate speech, discrimination, and pay-to-play. This seminar will give students an opportunity to explore in depth these and other "hot" topics which, one can predict, will simultaneously be the subject of headline-grabbing news stories (at least in the National Law Journal) as the course proceeds.

LAW 733 International Criminal Law

Spring. 3 credits. D. Wippman.

This seminar will examine the evolution of modern international criminal law, from Nuremberg to the new International Criminal Court. Topics will include the nature and sources of international criminal law, jurisdiction, individual and state responsibility, penalties and deterrence, and alternatives to criminal trials, such as truth commissions and amnesties. The seminar will emphasize recent developments, such as the Pinochet extradition proceedings and efforts to try senior Khmer Rouge leaders.

LAW 734 Introduction to French Law

Spring. 3 credits. Prerequisite: Not available to students with significant knowledge of civil law system.

C. M. Germain.

Introduction to the French legal system from a comparative law perspective, with a focus on civil law methodology and French legal institutions. Topics studied include French law sources and authorities, such as legislation, court decisions, and scholarly writings; the relationship between French law and the European Union; the French court structure in civil, criminal, and administrative law matters and its major procedural features; and the organization of the legal profession.

LAW 735 Issues In Tort Law

Spring. 2 credits. J. A. Siliciano.

The course explores some of the major theoretical and practical questions surrounding the tort system. The central inquiry focuses on the purported goals of tort law, their compatibility with each other, and the degree to which they are realized in practice. The course also examines a variety of substantive areas and considers various proposals to restructure tort law.

LAW 736 Juvenile Justice Seminar

Spring. 3 credits. D. N. Yellen.

This seminar examines the history, philosophy, and current issues concerning the separate juvenile justice system. Among the issues that may be considered are the constitutional protections applicable to the juvenile justice process, the treatment of noncriminal misconduct, waiver to adult court, confidentiality, the roles of police, lawyers and social workers, and sanctions.

[LAW Labor Law Theory and Policy Seminar (also ILR 608)]

3 credits. Prerequisite: Labor Law. Not offered 1999-2000.

The U.S. collective bargaining system, which had its origins during the New Deal period, has come under intense attack. The intellectual premises of the system have been challenged by scholars on both the right and the left, and at the same time, the decline in the labor movement has undermined its political support. This seminar will look at the theoretical attacks on the New Deal collective bargaining system and at some of the current proposals for its replacement. Some of the topics to be discussed are: the theory of regulation embodied in the National Labor Relations Act and its critique; alternative conceptions of labor markets and their policy ramifications; and the emerging global economy and its ramifications for domestic labor regulation. There will also be discussion of alternative systems of labor regulation, such as found in West Germany, Sweden, and Japan.]

[LAW Law and Economics Seminar

3 credits. Not offered 1999–2000.
Selected analysis of ways in which the law has incorporated, wittingly or unwittingly, an economic perspective. A major topic is the Coase Theorem and whether the common law promotes efficiency; a second theme is whether such a common law is ethically appropriate; a third theme contrasts the efficiency of the common law with the marketplace for legislation. Prior study of economics is neither required nor disqualifying.]

LAW 741 Law and Higher Education

Spring. 3 credits. Prerequisite: Constitutional Law or Administrative Law.

J. J. Mingle.

Higher education is a complex, idiosyncratic institution. Universities and colleges have a unique mission—teaching, research, and public service—and a uniquely challenging task of accommodating the various constituencies and organizations both internal (governing boards, faculty, students) and external (alumni, legislatures, courts, government agencies), that influence how they are managed and how policies are shaped. This seminar will explore the dynamic tensions, high expectations, and complex legal policy issues universities face in fulfilling their mission.

LAW 743 Law and Mental Health Seminar

Fall. 3 credits. H. R. Beresford.

The seminar explores issues at the interface of law and psychiatry. After an introduction to clinical and scientific aspects of mental illness, the seminar will address issues of autonomy, liberty, competency, coercion, and criminal responsibility as they relate to persons with disorders of behavior, cognition, or mood. Students write and present seminar papers on self-selected topics.

LAW 744 Law, Science, and Technology

Fall. 3 credits. Y. M. Cripps.

An examination of the interaction between legal principles and procedures and scientific research and development. Topics include the role of the law in regulating cloning, recombinant DNA research, surrogacy, and in vitro fertilization; plant breeders' rights and the patentability of organic matter; judicial assessment of expert scientific evidence; and compensation for damage caused by scientific experiments and new technologies.

LAW 745 Law Through Literature

Fall. 3 credits. N. L. Cook.

In this seminar, students use literature, supplemented by law texts, as a basis for understanding operations of law and the impact of legal process on people's lives. An explicit goal of the course is the acquisition of literary skills that can be cross-utilized in law practice. Students thus not only analyze legal principles in the context of stories, but also learn how to apply such literary concepts as metaphor, imagery, plot and character development, perspective, and point of view in their legal work.

LAW 746 Lawyers and the Legal Profession

3 credits. Satisfies the professional responsibility requirement. R. C. Cramton.
This seminar is divided into roughly two parts. First, a survey of the law of lawyering in a small class setting during the first one-half of the course; and second, more detailed

consideration of a number of current issues after the spring break. Members of the seminar actively participate throughout, but their writing and presentations generally are concentrated on the topics considered during the latter half. Special topics for Spring 1999 included the following: client fraud in business transactions, the Whitewater prosecutors and the O. J. Simpson defense team; counseling regulatory compliance (the Kaye-Scholer affair); the Lindsey-Clinton attorney-client privilege cases; and the ethics issues raised by A Civil Action. Distinguished practitioners participate in a number of seminar sessions.

LAW 756 Legal Aspects of Commercial Real Estate Development

Spring. 3 credits. J. E. Blyth.

Through the use of several written memoranda and one oral presentation, this seminar addresses considerations basic to commercial real estate development. It focuses on purchase agreements, options, rights of refusal, memoranda thereof, representations, and warranties; disclosure required of brokers and sellers, attorneys as brokers, notarial misconduct; conveyancing and surveys; commercial leases; conventional financing; conflicts between commercial tenants and institutional lenders; alternatives to conventional financing; title insurance; attorney opinion letters; and choice of real estate entity. About one-half of the course is devoted to commercial leases; conventional financing, and alternative to conventional financing (such as tax exempt financing and synthetic leases).

[LAW Legal Information Systems

3 credits. Not offered 1999–2000.

The seminar will address those qualities and effects of legal information databases which courses in legal research and the formal study of information retrieval do not. Whereas such courses and the disciplines from which they arise would see legal information systems as either research tools or as corpora that form a backdrop for the study of computer science techniques, we will be interested in such systems as economic entities with particular importance to lawyers and their clients, and as phenomena that have a role in defining the activities and boundaries of lawyering. Why is one such database better than another, and what does such a functional analysis say about what lawyers do and think? What are the practice (and malpractice) implications of an array of differentially priced sources for legal information? What happens to the role of the lawyer when clients have equal or better access to the letter of the law? What is the boundary between legal information and legal advice? What combination of private and public actors provides the "best" system for distributing legal information? These questions, and others, will define our area of work. Such a discussion is particularly relevant at a time of major upheaval in the way these primary tools of the profession are defined, bought, and sold.]

[LAW Managed Care Seminar

3 credits. Not offered 1999–2000.

Traditional fee-for-service indemnity insurance plans are being replaced by "managed care" as the dominant mode of financing health care in this country. This seminar examines the role of law in resolving the ethical, social, and economic debate that managed care has generated. Opponents of the trend have

called for legislation to set standards for what insurers must provide. For instance, in response to "drive-through deliveries," legislation has been proposed to increase the minimum number of hospital days for which a patient can be reimbursed after the birth of a child. On the other hand, proponents argue that health care providers, insurers, and even patients benefit from cost-containment measures. Meanwhile, lawyers for health care insurers, providers, employers, governments, and patients must cope with this changing environment by using existing legal doctrines or creating new ones. Each student will prepare a paper on some aspect of the role of law in managed care. These papers might involve, for example, a critique of a piece of legislation or examination of the various legal concepts used to adjust to the changing environment of health care in this and other industrialized countries.]

LAW 758 Melville and the Law

Spring. 3 credits. A. Konefsky.

This seminar will explore Herman Melville's views on law, lawyers, and legal systems as developed in three of his works of fiction: *Benito Cereno*, *Bartleby*, and *Billy Budd*. Melville's ideas about slavery, free labor, and the nature of justice will be explored through (1) an examination of the historical and legal historical events that may have influenced Melville's fictional narratives, (2) a discussion of the stories themselves, and (3) an analysis of literary criticism focusing on the relationship between law and Melville's work.

LAW 759 National Security Law Seminar

Fall. 3 credits. K. Clark.

This course will examine the struggle between the executive and legislative branches in the areas of national security and foreign affairs; the federal government's authority to pursue covert and overt wars; limitations on civil liberties during war-time and other emergencies; the government's regulation of personnel with security clearances; and the public's access to national security information through the Freedom of Information Act and other means.

LAW 760 Organized-Crime Control

Fall. 3 credits. Prerequisite: Criminal Procedure. R. C. Goldstock.

This seminar discusses selected aspects of criminal procedure and civil remedies that are used to control sophisticated illegal syndicated activity. Constitutional, statutory, and practical concerns in the use of electronic surveillance and RICO are a particular focus.

LAW 766 Origins of English and American Law

Spring. 3 credits. E. Sherwin.

This course provides an overview of Anglo-American legal history, including Roman law origins, early English law, early American law, and modern social and intellectual legal debates. Approximately one half the course will be spent on foundational reading; the second half will consist of presentation of student papers.

LAW 770 Reproductive Issues Seminar

Spring. 3 credits. M. A. Fineman.

This seminar will consider various reproductive dilemmas, paradoxes, and policies in modern American society. Birth control and abortion will be addressed, but the emphasis will be on placing the reproductive process within a broad sociolegal context. To this end, we explore issues such as eugenics, the

use and regulation of medical technology, lesbian mothering, the relationship between reproduction and poverty programs, and a variety of other contemporary issues.

LAW 774 Selected Business Transactions Seminar

Fall. 3 credits. Recommended prerequisites: Corporations. Z. J. Shulman.

An in-depth look at initial public offerings and acquisitions from a practitioner's point of view. With respect to initial public offerings, the course will cover: the applicable statutory framework, pre-offering corporate preparations (such as the implementation of poison pills and stock option plans), the due diligence process, the implementation of corporate governance policies appropriate for a public company, the offering registration process, liability under federal securities laws, the Securities and Exchange Commission review process, underwriting arrangements, selection of a trading forum (i.e., NYSE, NASDAQ, or AMEX) and the transaction closing. Regarding mergers and acquisitions, the course will explore: financing alternatives, accounting treatment, due diligence, choosing an appropriate transaction structure (i.e., stock versus asset sale), public company transaction issues i.e., antitakeover matters and fiduciary concerns, fiduciary duties, and crucial legal aspects of the acquisition, such as letters of intent, successor liability, continuity of employees and non-competition agreements.

[LAW Separation of Powers

3 credits. Not offered 1999-2000.

The last fifteen years have witnessed more debate about the nature and consequences of "separation of powers" than we have seen since the Founding Era. This seminar examines the ways this concept is understood and used by modern judges, legislators, executive officials, and scholars to justify, or to attempt to modify, the distribution of power within contemporary American government.]

[LAW The Supreme Court and the Death Penalty

3 credits. Not offered 1999-2000.

This seminar examines the role of the Supreme Court in modern capital punishment jurisprudence focusing on how, and to what extent, the Court's view of death penalty cases has changed in the last thirty years. Students will have the option of writing a paper or assisting in the research for and drafting of a petition for writ of certiorari or brief filed in the Supreme Court.]

[LAW Tax Policy Seminar

3 credits. Prerequisite: Federal Income Taxation. Not offered 1999-2000.

This seminar analyzes the tax policy goals of fairness, simplicity, and economic efficiency, and examines how well the present tax system satisfies these goals. Specific topics include: progressivity of the tax rate structure; use of the tax system to advance social policies; tax legislative process; taxation of the family; comparison of income and consumption taxes.]

[LAW The Religion Clauses of the First Amendment

3 credits. Prerequisite: Constitutional Law. Course not available to students who have already taken Civil Liberties Clinic. Not offered 1999-2000.

This course examines various issues relating to the First Amendment's establishment and free-exercise clauses. In the early part of the

semester the seminar meets to discuss assigned readings. The later part is devoted to the presentation of seminar papers. Each student must submit a substantial paper on an approved topic and brief written critiques of two other students' papers.]

LAW 777 Theories of Property

Fall. 3 credits. Prerequisite: Property. G. S. Alexander.

This seminar explores the various ways that people have conceived of, or understood, property. The materials studied are eclectic and interdisciplinary. They include readings on slavery and property, women and property, community interests in property, as well as classical theories (libertarian, utilitarian, Marxian).

LAW 778 Transition to Democracy

Fall. 3 credits. I. P. Stotzky.

The closing decades of the twentieth century can rightly be characterized as the era of democracy. During the 1970s, several southern European nations abandoned longstanding dictatorships and adopted democratic regimes. During the early 1980s, most Latin American nations repudiated their aged military dictatorships and instituted democracies. In the 1990s, another wave of democratization swept Eastern Europe and the Soviet Union, destroying the "Communist Empire." In nations undergoing this transition, economic, political, and social stability has not yet been fully achieved. The corporatist political and social structures have not yet been transformed to allow the vast, underprivileged majority access to the basic necessities that ensure a dignified life. Institutional structures of public life, such as a representative legislative branch, a competent judiciary, and an executive branch that adheres to its constitutionally imposed boundaries, must be developed and stabilized. The rule of law—and thus the fundamental guarantees of due process—has to become an accepted, basic requirement of public life and private social interaction. In this seminar, we will examine the very complicated issues involved in the transition process. For example, we will look at the relationship among constitutionalism, democracy, human rights, and law. We will also discuss the role in the democratization process of cultural norms, human rights trials, economic development, and the international community.

LAW 779 United Nations, Elections, and Human Rights

Fall. 3 credits. M. B. Ndulo.

The seminar provides a wide range examination of the current status of the international protection of human rights with special emphasis on civil and political rights relating to elections and governance. Taking part in the conduct of public affairs is a basic human right increasingly prized by people throughout the world. Universally, the right to take part in government is proclaimed and guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and is recognized in many other international treaties and declarations. At times free and fair elections necessitate international assistance to countries to aid them in fulfilling international human rights standards, and cooperation in establishing and strengthening the legal, technical and physical infrastructure necessary to carry out elections. The seminar will further examine: self

determination, truth commissions and the role of non-governmental organizations with regard to standard setting and monitoring of human rights.

[LAW Voting and Political Participation

3 credits. Recommended prerequisite: some previous experience with legal materials (case studies, statutes) will be helpful, but is not required. Not offered 1999-2000.

This course explores the meanings assigned to political participation in the American political system and examines a series of instances in which the law has been used to enhance, equalize, or otherwise regulate voting and other forms of political participation. The course begins by investigating the problematic rationality of political participation, examining several arguments for participation notwithstanding the low probability that any participant's vote will have an effect on electoral outcomes. A brief survey of historical and contemporary denials of the franchise is then used to shed further light on the meaning(s) of political participation. The second part of the course turns to the question of legal regulation of the vote, examining the merits and proper scope of plebiscitary democracy; the problem of apportionment resolved and created by the "one persons, one vote" rule; and efforts to facilitate minority political participation under the Constitution and the Voting Rights Act.]

CLINICAL COURSES AND EXTERNSHIPS

All clinic courses and externships satisfy the second writing requirement. Limited enrollment.

LAW 781 Capital Punishment Clinic: Post-Conviction Litigation

Spring. 4 credits. Prerequisite: permission of instructor, Criminal Procedure or Criminal Law experience preferred. J. H. Blume, S. L. Johnson.

Death penalty post-conviction litigation: investigation and the preparation of petitions, memorandums, and briefs. This course is taught as a clinic. Two or possibly three South Carolina Death Row cases will be worked on by students. Case selection will depend on both pedagogical factors and litigation needs of the inmates. Students will read the record and research legal issues. Some students will be involved in investigation, while others will assist in the preparation of papers. All students will be included in discussions regarding the necessary investigation and strategy for the cases.

LAW 782 Capital Trial Clinic

Spring. 4 credits. Prerequisite: permission of instructor, Criminal Procedure or Criminal Law experience preferred. J. Blume, S. L. Johnson.

The issues that are unique to a capital trial, with a focus on a specific capital trial and the issues it presents.

LAW 784 Government Benefits Clinic

Spring. 6 credits. Requires simultaneous enrollment in Legal Aid Clinic 1 or Legal Aid Clinic 3 (6 hours combined credit for both courses when combined with LA1 or LA3). B. Strom.

The course has both a substantive component, in which a broad conceptual understanding of

a complex and controversial area of law and public policy is developed, and a live client clinical experience, in which those concepts can be applied in solving actual client problems. The substantive component of the course provides an introduction to government benefits law by examining various need-based benefit programs including Social Security, Unemployment Insurance, Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), and Food Stamps. Case handling involves the representation of clients in government benefits cases (social security, public assistance, food stamps, unemployment insurance, Medicaid, SSI, etc.) involving both the Tompkins County Department of Social Services, the N.Y.S. Department of Labor and the Social Security Administration. The course also includes a lawyering skills classroom component because students are simultaneously enrolled in Legal Aid 1 or 3 (see the descriptions below).

LAW 785 Government Benefits Clinic/ Neighborhood Legal Services Externship

Spring. 6 credits. This course is a combination of government benefits and the Neighborhood Legal Services Externship and either Legal Aid Clinic 1 or Legal Aid Clinic 3 (6 hours combined credit for both courses when combined with LA1 or LA3). B. Strom.

The course is the same as government benefits except that the case-handling component involves handling cases for the Ithaca office of Neighborhood Legal Services. See that description for additional details.

LAW 786 Judicial Externship

Fall or spring. 4 credits. G. G. Galbreath. Students work with a trial court judge. Work involves courtroom observation, conferences with the judge, research and writing memoranda, drafting decisions. The emphasis is on learning about judges, judicial decision-making process, and trials. There are weekly class meetings with readings and discussions of topics related to the externship experience. While the primary focus is the student's work at the placement, each student will also do the class presentations, a final project, and will meet individually with the faculty member.

LAW 790 Law Guardian Externship

Fall or spring. 4 credits. J. M. Miner. Students will learn about the representation of children in abuse and neglect cases, juvenile delinquency proceedings, and PINS (Persons in Need of Supervision) cases through their placement at the Tompkins County Law Guardian office. Duties may include interviewing, investigating, drafting memoranda and motions, and assisting in trial preparation. Participants are required to attend the classroom component of Legal Aid 1, Legal Aid 2, or 3 (see descriptions below).

LAW 791 Legal Aid Clinic 1

Fall or spring. 4 credits. During the second and third week there may be a couple accelerated class sessions. Classes are mandatory for all Legal Aid Clinic 1 students and all students in courses which include the Legal Aid 1 classroom component. N. L. Cook, G. G. Galbreath, K. Hessler, J. M. Miner, B. Strom.

Participants handle civil cases for low-income clients of the Legal Aid Clinic under the supervision of the clinic faculty. Students interview and counsel; investigate and analyze

facts; interrelate substantive and procedural law with facts in the context of actual representation; develop a strategy to handle clients' problems; identify and resolve professional responsibility issues; do legal writing; negotiate and settle cases; and represent clients at administrative hearings. Seminar classes seek to develop interviewing, counseling, negotiation, and advocacy skills through the use of readings, videotapes, discussions, demonstrations, and simulation exercises.

LAW 792 Legal Aid Clinic 2

Fall. 4 credits. Prerequisite: Legal Aid Clinic 1 or a clinic course that includes the Legal Aid 1 classroom component. N. A. Cook, G. G. Galbreath, K. Hessler, J. M. Miner, B. Strom.

Students handle legal aid cases, participate in a classroom component, and help supervise participants in Legal Aid Clinic 1. Cases are handled as described in the course description for Legal Aid 1. Students represent the clinic's clients in both federal and state courts.

LAW 793 Legal Aid Clinic 3

Spring. 4 credits. Prerequisite: Legal Aid Clinic 1 or a clinic course that includes the Legal Aid Clinic 1 classroom component. N. A. Cook, G. G. Galbreath, K. Hessler, J. M. Miner, B. Strom.

Students handle legal aid cases, participate in a classroom component, and help supervise participants in Legal Aid Clinic 1. Cases are handled as described in the course description for Legal Aid 1. Students represent the clinic's clients in both federal and state courts.

LAW 794 Legislative Externship

Fall or spring. 3 credits. J. M. Miner, B. Strom.

The students work with the local New York State Member of Assembly. Work involves drafting legislation, tracking legislation for constituents, legal research and writing, responding to constituent requests that particularly require legal research or an explanation of law. The emphasis is on learning about legislative process, drafting of legislation, understanding the reasons for statutory ambiguity, and developing various skills. There are several informal meetings with the faculty supervisor during the semester with readings and group discussions related to the externship experience.

LAW 795 Neighborhood Legal Services Externship

Fall or spring. 4 credits. Requires simultaneous enrollment with Legal Aid Clinic 1, Legal Aid Clinic 2, or Legal Aid Clinic 3. (4 hours combined credit for both courses when combined with LA1 or LA2). G. G. Galbreath, B. Strom.

Along with case handling it includes a classroom component. (See Legal Aid 1, 2, and 3 course descriptions.) The classes are devoted to the development of lawyering skills and issues related to professional responsibility and the role of an attorney. Cases involve the representation of clients of a legal services office, the Ithaca office of Neighborhood Legal Services (NLS). In addition, each student will meet periodically with the faculty supervisor for review of the placement experience.

[LAW Public International Law Clinic

3 credits. Prerequisites: Public International Law or International Human Rights. Not offered 1999-2000.

Students will prepare legal memoranda and policy proposals for foreign governments and international organizations. The memoranda will be prepared in coordination with the Public International Law and Policy Group, a nonprofit organization that provides *pro bono* advice on issues of public international law to governments, NGOs, and international organizations. Possible subject areas include minority rights, border treaties, citizenship and nationality disputes, state succession issues, and war crimes.]

[LAW Religious Liberties Clinic

4 credits. Year-long offering. Not offered 1999-2000.

Students work in teams on cases provided by organizations that handle Establishment and Free Exercise Clause cases. All students do substantial research and memoranda writing, and some may draft portions of briefs. To help ensure that students have the opportunity to take a case to completion (or at least to the next stage of litigation), this is a full-year course, with students required to register for both semesters for a total of four credit hours and a grade at the end. Given the nature of litigation, demands on student time may be sporadic, and students should be prepared to do some work over intercession if court deadlines so require.]

LAW 796 Small Business Clinic

Fall or spring. 5 credits. W. A. Kell.

Students will learn and apply a broad range of knowledge in business-related law, through participating in interdisciplinary teams of students assisting microenterprise entrepreneurs with legal and business needs, specifically child care programs. Faculty from the Law School, the Johnson School of Management, and College of Human Ecology will supervise teams of students from each of the above colleges and provide classroom teaching. Under such supervision, student teams will work autonomously to consult with and provide technical assistance to the child care entrepreneur. Critical questions include: what are the needs of small businesses for legal consultation in order to survive and thrive? How can professionals of different disciplines work together most effectively to assist small businesses, given the often interconnected nature of legal and business problems? What practices are most conducive to the creation of viable small businesses, enabling entrepreneurs to respond to often-conflicting consumer needs for high quality (but affordable) services? Readings will be drawn from areas of contract, tort, property, employment, and administrative law, as well as areas of business planning, entrepreneurship, and consumer issues. There will be weekly classroom sessions focused on substantive areas of knowledge, the development of client relationships, and ethical issues. Weekly team meetings will also be required for supervision. Guest speakers from each of the colleges will offer additional experiences for learning and discussion. Writing and research requirements will be met through student work on behalf of the client entrepreneurs, including the development of contracts, procedures, articles of incorporation, and other documents, as well as internal legal memoranda and business plans.

LAW 797 Women and the Law Clinic

Spring. 6 credits. Requires simultaneous enrollment in Legal Aid Clinic 1, Legal Aid Clinic 3 (6 hours combined credit).

J. M. Miner.

Students will represent women clients who have legal matters primarily in the family law area (divorce, custody, support, domestic violence). Students will also participate in the lawyering skills classroom component of Legal Aid 1 or 3. An additional class will focus on such issues as the impact of substantive law on women, the impact of legal institutions on women, professional role development, feminist lawyering methods, and other topics related to women and the law.

LAW 798 Youth Law Clinic

Spring. 6 credits. Requires simultaneous enrollment in Legal Aid Clinic 1 or 3 (6 hours combined credit). N. L. Cook.

Students will work with groups of youth and service providers in a multifaceted approach to identifying and resolving problems of a legal nature. Under the supervision of faculty and community experts, clinic students will both handle individual representation cases and participate in nonlitigation project work such as community education, legislative advocacy, and meditative training. The emphasis of the course is on planning, communication, policy development, and nonadversarial problem solving.

NONPROFESSIONAL COURSE**GOVERNMENT 313 The Nature, Functions, and Limits of Law**

Spring. 4 credits. Undergraduates only.
R. A. Hillman.

A general-education course for students at the sophomore and higher levels. Law is presented not as a body of rules but as a set of techniques for resolving conflicts and dealing with social problems. The course analyzes the roles of courts, legislatures, and administrative agencies in the legal process, considering also constitutional limits on their power and practical limits on their effectiveness. Assigned readings consist mainly of judicial and administrative decisions, statutes and rules, and commentaries on the legal process.

FACULTY ROSTER

Abrams, Kathryn, J.D., Yale U. Prof.
Alexander, Gregory S., J.D., Northwestern U. Prof.
Avery, Dianne, J.D., Buffalo U. Visiting Prof.
Barceló, John J. III, S.J.D., Harvard U.
William Nelson Cromwell Professor of International and Comparative Law
Blanc-Joavan, Xavier, Doct. Laws, U. of Grenoble.
Blume, John H., J.D., Yale U. Visiting Prof.
Clark, Kathleen, J.D., Yale U. Visiting Prof.
Clermont, Kevin M., J.D., Harvard U. James and Mark Flanagan Professor of Law
Clymer, Steven D., J.D., Cornell U. Assoc. Prof.
Cramton, Roger C., J.D., U. of Chicago.
Robert S. Stevens Professor of Law
Cripps, Yvonne M., Ph.D., U. of Cambridge. Visiting Prof.
Eisenberg, Theodore, J.D. U. of Pennsylvania.
Henry Allen Mark Professor of Law

Farina, Cynthia R., J.D., Boston U. Prof.
Fineman, Martha A., J.D., U. of Chicago.
Doreatha S. Clarke Professor of Feminist Jurisprudence
Fox, Lawrence, J., LL.B., U. of Pennsylvania. Visiting Prof.
Garvey, Stephen P., J.D., Yale U. Assoc. Prof.
Germain, Claire M., M.L.L., U. of Denver.
Edward Cornell Law Librarian and Professor of Law
Green, Robert A., J.D., Georgetown U. Assoc. Prof.
Hay, George A., Ph.D., Northwestern U.
Edward Cornell Professor of Law and Professor of Economics in the College of Arts and Sciences
Henderson, James A., Jr., LL.M., Harvard U.
Frank B. Ingersoll Professor of Law
Hillman, Robert A., J.D., Cornell U.
Edwin H. Woodruff Professor of Law
Holden-Smith, Barbara J., J.D., U. of Chicago. Assoc. Prof.
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Konefsky, Alfred S., J.D., Boston C. Visiting Prof.
Macey, Jonathan R., J.D., Yale U.
J. DuPratt White Professor of Law
Martin, Peter W., LL.B., Harvard U.
Jane M. G. Foster Professor of Law
Ndulo, Muna B., D. Phil., Trinity C. Visiting Prof.
Palmer, Larry I., LL.B., Yale U. Prof.
Rachlinski, Jeffrey J., Ph.D., Stanford U. Assoc. Prof.
Rossi, Faust F., J.D., Cornell U.
Samuel S. Leibowitz Professor of Trial Techniques
Rudden, Bernard, D.C.L., Oxford U. Visiting Prof.
Schwab, Stewart J., Ph.D., U. of Michigan. Prof.
Sherwin, Emily L., J.D., Boston U. Visiting Prof.
Shiffrin, Steven H., J.D. Loyola U. of Los Angeles. Prof.
Siliciano, John A., J.D., Columbia U. Prof.
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William G. McRoberts Research Professor in Administration of the Law
Taylor, Winnie F., LL.M., U. of Wisconsin. Prof.
Teitelbaum Lee E., LL.M., Northwestern U. Prof.
Wippman, David, J.D., Yale U. Assoc. Prof.
Yellen, David N., J.D., Cornell U. Visiting Prof.

Legal Aid Clinic

Cook, Nancy L., J.D., Georgetown U. Senior Lecturer
Galbreath, Glenn G., J.D., Case Western Reserve U. Senior Lecturer and Director, Cornell Legal Aid Clinic
Hessler, Katherine M., J.D., C. of William and Mary. Visiting Senior Lecturer
Miner, JoAnne M., J.D., U. of Connecticut. Senior Lecturer
Strom, Barry, J.D., Cornell U. Senior Lecturer

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Adjunct Faculty Members

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Goldstock, Ronald G., J.D., Harvard U. Adjunct Prof.
Hull, Robert K., LL.M., Harvard U. Adjunct Prof.
Kell, William A., J.D., Wayne State U. Adjunct Prof.
Meyer, Judith, J.D., Cornell U. Adjunct Prof.
Mingle, James J., J.D., U. of Virginia. Adjunct Prof.
Ridgway, Delissa, J.D., Northwestern U. Adjunct Prof.
Shulman, Zachary, J.D., Cornell U. Adjunct Prof.
Tahsuda John, J.D., Cornell U. Adjunct Prof.
Yale-Loehr, Stephen W., J.D., Cornell U. Adjunct Prof.

Legal Methods Program

Anderson, Paige S., J.D. Cornell U. Academic Support Coordinator, Lecturer
French, David A., J.D., Harvard U. Lecturer
Grumbach, Carol, J.D., Cornell U. Co-director of Legal Methods Prog. and Senior Lecturer
Harris-Abbott, Troy L., J.D., U. of Michigan. Lecturer
Williams, Brian S., J. D., Indiana U. Co-director of Legal Methods Prog. and Senior Lecturer